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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/667,946

09/22/2003

Hiroaki Ando

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23552

7590

12/10/2004

MERCHANT & GOULD PC

P.O. BOX 2903

MINNEAPOLIS, MN 55402-0903

EXAMINER

RILEY, SHAWN

ART UNIT

PAPER NUMBER

2838

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/667,946	Applicant(s) ANDO ET AL.	
	Examiner Shawn Riley	Art Unit 2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on sep03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>nov03&copyvsep03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to because figure 5 fail(s) to have the label prior art.

Correction is required.

Specification

2. Applicant(s) is(are) reminded of the proper content of an abstract of the disclosure.

The abstract **should not refer to purported merits** (which can improve. . . eliminate the need of . . . stabilize the output voltage during . . .) or speculative applications of the invention and should not compare the invention with the prior art.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. E.g., PWM Switching regulator with current and voltage feedback.

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 1 and 2 are rejected under 35 U.S.C. §102(b) as being fully anticipated by Takimoto et al. (U.S. Patent 6,194,875). Takimoto et al shows,¹ (in, e.g., the(ir) figures 4 and corresponding disclosure)

As to claim 1;

A switching power source apparatus (see, e.g., column 8 lines 1-34) comprising: a switching output circuit (3) for outputting a DC output voltage (V_{out2}) converted from a DC power source voltage (V_{in}) by a semiconductor switch (3) which is on-off controlled; error amplifying means (22) for comparing said DC output voltage with a reference voltage (V_{ref1}) to generate a feedback signal which decreases as said DC output voltage increases; a current detecting circuit (12) for detecting an output current (I_2) flowing through said switching output circuit to generate a current detecting signal (output of 12) which decreases as said output current increases; and a PWM comparator (16), to which said feedback signal and said current detecting signal are inputted (see input of 16) as comparison signals and a triangular wave signal (17) is inputted as a reference signal, for comparing a lower signal of said comparison signals and said triangular wave signal to output a PWM signal, wherein said semiconductor switch is on-off controlled by said PWM signal (see input into 3).

2. The switching power source apparatus according to claim 1, wherein said current detecting

¹ Note claims will be addressed individually and the material in parentheses are the examiner's annotated comments. Further unless needed for clarity reasons, recited limitation(s), will be annotated only upon their first occurrence. Annotated claims begin with the phrase "As to claim". Claims that are not annotated are seen as having already had the invention(s) addressed previously in an annotated claim. Bolded words/phrases indicate rejected material based 112 paragraph rejections. Underlined words/phrases indicate objected to material.

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signal is outputted through a low-pass filter (7 is a low pass filter).

Allowable Subject Matter

3. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. As allowable subject matter has been indicated, applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 C.F.R. § 1.111(b) and section 707.07(a) of the M.P.E.P.

5. The following is an examiner's statement of reasons for allowance: No prior art uncovered anticipates or renders obvious applicant(s) claimed switching power source apparatus including low-pass filter having a resistor provided between an input side and an output side; a capacitor between said output side and a reference point; and a semiconductor switch for charge discharging, which is connected in parallel to said capacitor, to be turned on when a voltage on the input side becomes lower than a voltage on the output side.

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Conclusion

Any inquiry from other than the applicant/attorney of record concerning this communication or earlier communications from the Examiner should be directed to the Patent Electronic Business Center (EBC) at 1.866.217.9197. Any inquiry from a member of the press concerning this communication or earlier communications from the Examiner or the application should be directed to the Office of Public Affairs at 703.305.8341. Any inquiry from the applicant or an attorney of record concerning this communication or earlier communications from the Examiner should be directed to Examiner Riley whose telephone number is 571.272.2083. The Examiner can normally be reached Monday through Thursday from 7:30-6:00 p.m. Eastern Standard Time. The Examiner's Supervisor is Mike Sherry who can be reached at 571.272.2084. Any inquiry about a case's location, retrieval of a case, or receipt of an amendment into a case or information regarding sent correspondence to a case **should be directed to 2800's Customer Service Center** at 571.272.2815. Any papers to be sent by fax MUST BE sent to fax number 703.872.9306. Any inquiry of a general nature of this application should be **directed to the Group receptionist** whose telephone number is 571.272.2800. Status information of cases may be found at <http://pair-direct.uspto.gov> wherein unpublished application information is found through private PAIR and published application information is found through public PAIR. Further help on using the PAIR system is available at 1.866.217.9197 (Electronic Business Center).

December 04



Shawn Riley
Primary Examiner